

\_\_\_\_\_ BILL NO. \_\_\_\_\_

INTRODUCED BY \_\_\_\_\_  
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VIII, SECTION 5, OF THE MONTANA CONSTITUTION EXEMPTING A PRIMARY RESIDENCE FROM TAXATION; DEFINING "PRIMARY RESIDENCE"; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article VIII, section 5, of The Constitution of the State of Montana is amended to read:

**"Section 5. Property tax exemptions.** (1) The legislature may exempt from taxation:

(a) Property of the United States, the state, counties, cities, towns, school districts, municipal corporations, and public libraries, but any private interest in such property may be taxed separately.

(b) Institutions of purely public charity, hospitals and places of burial not used or held for private or corporate profit, places for actual religious worship, and property used exclusively for educational purposes.

(c) Any other classes of property.

(2) (a) The primary residence of a taxpayer is exempt from taxation.

(b) For the purposes of this section, "primary residence" means a residential dwelling that is a single-family dwelling unit, a unit of a multiple-unit dwelling, a trailer, a manufactured home, or a mobile home and as much of the surrounding land, not exceeding 1 acre, as is reasonably necessary for its use as a dwelling and that is occupied by the owner for at least 7 months during the tax year.

~~(2)(3)~~ The legislature may authorize creation of special improvement districts for capital improvements and the maintenance thereof. It may authorize the assessment of charges for such improvements and maintenance against tax exempt property directly benefited thereby."

NEW SECTION. **Section 2. Effective date.** This amendment is effective upon approval by the electorate.

NEW SECTION. **Section 3. Applicability.** This amendment applies to tax years beginning on or after

1 December 31, 2010.

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3 NEW SECTION. **Section 4. Submission to electorate.** This amendment shall be submitted to the  
4 qualified electors of Montana at the general election to be held in November 2010 by printing on the ballot the  
5 full title of this act and the following:

6 ☐ FOR exempting primary residential property from taxation.

7 ☐ AGAINST exempting primary residential property from taxation.

8 - END -